



California Fair Political Practices Commission

October 26, 1988

Evet Abt
Chief Deputy City Attorney
151 West Mission Street
San Jose, CA 95110

Re: 88-407

Dear Mr. Abt:

Your letter requesting advice under the Political Reform Act was received on October 21, 1988 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact John McLean, an attorney in the Legal Division, directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

Kathryn E. Donovan for
Diane M. Griffiths
General Counsel

DMG:plh

Memorandum

To : File

Date : October 28, 1988

From : Fair Political Practices Commission
John McLean

Subject : T-88-407

Spoke today with Evet Abt, Chief Deputy City Attorney in San Jose. Informed her that her letter was an accurate reflection of the advice I had provided. I.e. The names of elected officers could appear in a roster listing in bond documents. The bond documents contain no other reference to elected officials. She said that she did not need a written response.

JM:ld:T88407



CITY OF SAN JOSÉ, CALIFORNIA
OFFICE OF THE CITY ATTORNEY

151 WEST MISSION STREET
SAN JOSE, CALIFORNIA 95110
(408) 277-4454

JOAN R. GALLO
City Attorney

October 18, 1988

JOHN McLEAN
COUNSEL, LEGAL DIVISION
FAIR POLITICAL PRACTICES COMMISSION
428 J Street, Suite 800
P. O. Box 807
Sacramento, CA 95804

RE: Roster Listings

Dear Mr. McLean:

This letter is to confirm that you advised our office by telephone on 14 October 1988 that the roster listing as described below may be included in documents sent at public expense without violating Government Code Section 89001.

As we have explained, a single page length roster listing containing the names of City employees and elected officials will be included in the official statements accompanying municipal bond documents. It is expected that beginning later this year, more than 200 such documents in a calendar month will be distributed at public expense to interested investors. The names of elected officers are grouped separately, as are the names of Council appointees and City employees involved in the project to be funded. However, the names of elected officers are in the same type size and typeface as others listed. The bond documents contain no other reference to elected officials.

It is our understanding that you advise that Government Code Section 89001 permits the inclusion of such a roster listing in the bond documents.

Sincerely,

EVET ABT
Chief Deputy City Attorney

EA:MAM:mjw

Oct 21 1 16 PM '88
FPPC